Govt. II-43—22,202—6-2-23.

Revenue (1923) Department.

Miscellaneous SERIES.

G.O. No. 975

DATED 21 6 1923

[Despatch Abstract.]

Allowances - (Coimbatore) - Deputy Collector, Kollegal.

BACK PAPERS.

G.O.	No.	Department	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS

G.O	No	Department.	Date.	G.O.	No	Department.	Date.

Gazetted appointments

Pay and Designation of the Officer to whom the Duty allowance is now given	Amount of Duty allowance	Grounds on which the Duty allowance was granted.	G.O. sanctioning the Duty allowance	Remarks (Can Duty allowance be reduced or abolished? If not, reasons may be given)
~~Rs~~ 2	3		4	5
Deputy Collector, Kollegal (Pay as Deputy Collector)	100 X	This allowance is granted for doing duties of Municipality in addition to his work in the regular line. This arrangement was made to avoid the appointment of another Municipality and a general redistribution of territorial jurisdiction in the Coimbatore Dt. Kollegal is a remote and isolated tract and officials posted to it are anxious to get an exchange to the low country as soon as possible. The allowance ~~is~~ serves also an inducement to officers posted to it to ~~[illegible]~~ remain in the station	G.O. No. 286 Rev 10.4.1894	The allowance is being granted since 18. Vide G.O. No. 220 Re 13.2.18. The Chief Commissioner of the Board of Revenue, The High Court recommend the grant of the allowance Submitted that it does not seem possible to reduce the allowance or abolish it for the reasons stated in Col. 3.

~~[illegible]~~

~~[illegible]~~

~~[illegible]~~

~~[illegible]~~

LAW (GENERAL) --Duty allowances. (File No.1)

Deputy Collector, Kollegal.

The grounds specified in column 3 of the statement furnished by Law (General) are three in number

(1) the allowance is granted for doing the duty of a District Munsif in addition to his work in the regular line,

(2) Kollegal is a remote and isolated tract and consequently unpopular, and

(3) the allowance gives an inducement to remain at Kollegal.

Grounds 2 and 3 are of the same nature and do not afford any reason for the grant of a duty allowance. They might be advanced as a ground for the grant of a compensatory allowance.-vide F.R.44 Subsidiary 1 (c).

The first ground which is given would be a ground for a duty allowance. But it cannot, so far as I can see, at the present day be supported on this basis. The Deputy Collector of Kollegal has charge of only one taluk and the fact that he exercises civil judicial powers cannot, considering the nature and volume of his revenue and magisterial work, bring his case under F.R. 9(25)(a). With regard to F.R. 9 (25) (b) it may be said that the work is of a different kind from that usually entrusted to a revenue divisional officer. This argument does not seem to me to carry weight in view of the fact that all revenue officers are liable to have to undertake the civil work entailed upon them in Zamindari areas by Act I of 1908.

With regard to the G.Os. quoted, the Proceedings of the Board of Revenue dated 25-1-1884 suggests that → (Z) the pay of the Tahsildar of Kollegal was charged in part to Revenue and in part to Law and Justice on account of the double nature of the work of the Kollegal Tahsildar. In para 3 of G.O.286 Revenue dated 10-4-1991 → (W) it is mentioned that the Tahsildar of Kollegal drew a consolidated pay of Rs.250 of which Rs.100, so far as I can gather, was debited to Law and Justice. It was then decided to reduce the pay of the Tahsildar and to allow the Deputy Collector the difference as a special allowance. The special allowance was treated as a matter of course in the G.O. and it was not considered necessary to justify it by any specific argument. It may be noted from the G.O. that at the time when the duties of a District Munsif were imposed on the Deputy Collector the Revenue and Magisterial jurisdiction was reduced by the transfer of Satyamangalam taluk to Coimbatore. In my opinion the extra allowance was not justified at the time that it was given and is certainly not justifiable on the score that the Divisional officer is either overworked or performs more responsible functions than any other divisional officer, many of whom have much larger civil files.

The file is therefore returned to Law Secretary with the request that he will, if he considers it necessary, revise or amplify the grounds on which it is claimed that the allowance cannot be abolished.

Rc J aacs

10 : 10 : 22

To

Secretary, Law Department.

L.9.A 3931
10/2/22

I am concerned in this file only so far as the judicial allowance is concerned. Judicial work, even apart from the Estates Act work, is very different from ordinary executive work; to some officers is distasteful. So unless a judicial allowance be attached, there will be no inducement to good Dy Collectr to pick up civil law or to remain in Kollegal. That the work is light is no fault of the presiding officer. The alternative plan of a full time qualified judicial officer will be costlier. In the interests of the efficiency of judicial work, the allowance is clearly necessary. I may add that much of the judicial work under the Estates Act will be transferred away from Dy Collectrs.

10/10/22

Court (Jud) No. 3981B-1
10.10.22

Returned Secy/Ret.

Finance Department
(Retrenchment branch)

The question raised in this file is the allowance of Rs.100 drawn by the Deputy Collector Kollegal. It may be taken, although the G.O.× does not specifically state so that the allowance is granted on the score that of the Dy.Collector, Kollegal is also the District Munsif, Kollegal. The Kollegal division is, so far I know, a light division and the addition of the judicia work cannot be said to render the duties of the Dy. Collr., Kollegal, particularly onerous. The allowance cannot therefore be justified on the score of the

× flag (W) ←

arduous nature of the work.

2. Law Secretary has retired from his original position and claims that the allowance should be maintained purely as a judicialallowance. I presume, although he ~~it~~ does not ~~show~~ say so, that he would bring the case under F.R.9(25)(b) a view which I find it difficult in supporting As the officer is a Deputy Collector and as the recruitment for the post rests with you I should be glad to have your ~~xxxxx~~ opinion as to whether you are likely to find any difficulty in filling up the post if the allowance is withdrawn and if so on what ground.

R.W.Davies
Retrenchment Secy.
11-X-22.

Revenue Secretary U.O.

A
The
11.Oct 22

cno 1393 A.
Rep. 12.10.22 13.10.22.

Rev. Dept.

In any place to which he is posted can he claim an allowance for withdrawing the allowance & consider it special reason if such reason still holds good

B.4 & D.C. Notes 610-X

Revenue Department.

To Secretary.

From para. 9 of the Collector's letter dated 29-10-1890 at page 6 of G.O.No.286 Rev. dated 10-4-1891 it will be seen that the allowance in question was proposed by him as (1) the deputy collector's "work will be of a special character" and (2) " a large portion of the tract through which he will have to tour is undoubtedly exceptionally unhealthy" In the G.O. sanctioning the allowance it was merely referred to as "the special allowance assigned for the performance of judicial duties". The idea of the unhealthiness of the tract was not however absent from the G.O. as the Government sanctioned in it an allowance of Rs.10 for the Revenue Inspector of Kollegal as he had to work in Malarial tracts.

2. A deputy collector is liable to perform any duty and to serve in any division to which he is posted and it cannot therefore be said that there will be much difficulty in filling up the post of Revenue Divisional Officer, Kollegal, if the duty allowance of Rs.100 now attached to it is abolished. But, that an officer is liable to serve in any place to which he is posted can hardly be an argument for withdrawing the allowance granted for special reasons if such reasons still hold good. The post is one requiring special qualifications. As the officer has to exercise judicial duties, a deputy collector who is a B.L. or has passed the Pleadership test or the Civil Judicial test has to be posted there. Officers of this description are not many in the deputy collectors' list and difficulty has at times been experienced in selecting a man for Kollegal as the post requires a man who

p. 4 of D.C.Notes 610.

cf. notes in

(1) D.C.Notes in 781 (X)
(2) " " 1380 (V)
(3) G.O.No.2988 dated 22-12-1916 (D) and
(4) pp. 1-2 of Notes 2297 (T)

who is not only qualified in Civil Law but should be an officer of some experience, and one who can withstand the unhealthy climate of the division. No officer willingly goes to the division and officers posted there try to get out of it either by actually applying for transfer or by applying for leave. The local allowance attached to the post induced two deputy collectors to apply for the division but these are the only instances which can be traced of deputy collectors asking for transfer to it. From the facts stated above it will be clear that the post is generally unpopular even with the duty allowance and the withdrawal of the allowance will render it the more so.

x
(1) Sir L. Davidson at page 24 of D.C.Notes 1380 (V) and
(2) bottom of p.6 of G.O.2988 dated 22-12-1916 (D)

ø
cf.(1) p.4 of D.C.Notes 781 (X)
(2) pp 2 & 4 of G.O.2988 dated 22-12-1916 (D) and
(3) p.1 of Notes 1594 (S)

*
pp.18-25 of D.C.Notes 1380 (V) especially Sir L. Davidson's remarks at pp.21 & 25 thereof.

⊠
G.O.2988 dated 22-12-1916 (D)

Vide
A at p.8 of D.C.Notes 1773 (R) &
B in Lodged C.No.970 A, 27-6-21 (Q

V.P.
30.10.22

Our objection with hard-ship dealt by the Secretary of State must be a B.I. : we have made a representation.

Q The Talk is undoubtedly an unhealthy one & any man who is not strong will get ill there as a man with a sickly family will take leave & find on the second following it. The hotel proprietor's wife

Rev. Secy. Rev. no. 1393 A/22-1

I should be glad to know under which particular head to classify this allowance. When the Secretary of State reclassified allowances under the heads of duty allowances and local allowances, he laid down the principle that there must be no double classification and that if one allowance partook of more than one quality a definite decision should be arrived at as to which particular qualification the allowance should cover. In the present instance I should be glad to know if Revenue desire this case to be classified

Vide para. 3 of G. D's letter to Secy. of State and the latter's reply at pp. 3-4 of 80. 255 Fin. D 8.5.16. E

(i) as a specific addition to duty, or

(ii) as an allowance on account of unhealthy locality.

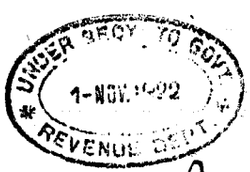
R W Dawe

Retrenchment Secretary.
1-11-22.

To

Revenue U.O.

L.V.1-11.



Revenue - A
1481
Rgd. 1-11-1922.

VP
1.11.22

Revenue Deptt.

To Secy.

With reference to the Secy. of State's orders referred to above the allowance has been classed as "remunerative" for performing judicial duties of District Munsif - Vide Govt. No. 255 Fin. D 8.5.1916 at item 21 in Annexure I thereto that classification ~~has been must stand~~ adopted ~~for audit purposes~~ ~~but that the allowance is to be classified~~ (for audit purposes; but the real nature of the allowance is

E

× Para. 3 of G. D's letter at p. 3 of 255 Fin. D 8.5.16 E

bear from the previous no

VP
3.11.22

I think I should [illegible] the allowance [illegible] of
[illegible] locality. It would [illegible]
[illegible] a B[illegible]
[illegible] is required in this
area [illegible] [illegible]
B[illegible] [illegible] for [illegible]
reason I would [illegible] the allowance
be allowed as claimed on on the
[illegible] of [illegible] locality.

[illegible]

4/11/22

[illegible] Revd

4/XI/22

Rev. a.o. No. 1481 A/22-1

4. 11. 22

1p

Finance Department
16th May 1923.

ALLOWANCES.

In all cases in which the proposals of the Retrenchment Committee have been accepted, it is requested that orders may be issued as early as possible with regard to the abolition of the concerned allowances, as it is desirable that the resultant economies should be effected at as early a date as may be.

R. W. Davies.
SECRETARY TO GOVERNMENT.

VAS

TO ALL DEPARTMENTS OF THE SECRETARIAT.

Copy to Reo

Deputy Collector, Kollegal. Page 1(a) of Part II of the Report E.

An allowance of Rs.100 has been granted to this officer for doing the duties of the District Munsif in addition to his work as Deputy Collector in the regular line. This arrangement was made to avoid the appointment of a separate District Munsif owing to - difficulty of redistributing the territorial jurisdiction of civil courts in the Coimbatore District. Further in view of the isolation of Kollegal, it was -- found difficult to get people to remain there for a long time. The allowance serves as an inducement to officers posted to it to remain in the station. The allowance has been granted on the recommendation of the Collector of Coimbatore, the Board of Revenue and the High Court and it has been in existence since 1884 The Law Secretary (Mr. Ramachandra Rao) has held that the allowance for judicial work in Kollegal is necessary. The Revenue Department has also been in favour of the grant of the allowance. Only it would class it as a local one. Tested by the principle laid down by the Cabinet in its order, viz., that where increase of staff or redistribution is not possible, the retention of the allowance is justifiable - it would fall under Class II - specific addition to work. If the view of the Revenue Department be accepted, it would fall under Class IV but according to the recommendations of the Retrenchment Committee the allowance will then have to be reduced to Rs.75. But the classification accepted by the Revenue Department cannot be accepted. The allowance may be placed under Clause I. The High Court has been consulted as regards the necessity for the continuance of the allowance. Its reply

has not been received.

P.S.R.
11-4-23.

R.V.K.
14-4-23.

The office note has, I think, somewhat misapprehended the principle laid down by the Cabinet, which is that where increase of staff or redistribution is not possible, the retention of an allowance is justifiable, provided that the volume of work assigned to an officer is more than a full day's work. We have no definite evidence whether the Deputy Collector. Kollegal has more than a full day's work but I should imagine that there can be little doubt that he has not. I understand that Revenue Department, which is more concerned than we are, is not pressing for the retention of the allowance but is asking for the allowance under Class IV for unhealthy localities. We certainly cannot ask for the retention of the allowance if that Department is not doing so. No action is, therefore, required.

F.N.
19-4-23.

From my enquiries I find that we cannot justify the allowance under Class II. (reading together the remarks at p.3 Part I of Report and the Cabinet decision at p.2 supra.

If the Revenue Department concurs we may press for allowance under Class IV.

C.P.R.
24-4-23.

Received from O&C- with a slip (Please below) on 1-5-23

Rev. Dept.

File VIII

Do Secy.

This Dept has already agreed to the allowance to the Kollegal Dy. Coll. being treated as a local allowance granted for unhealthiness of climate. It may therefore be classed under class IV.

Sent in reply at fl (R)

ASB 1.5.23

WCH 1.5.23. Agree in reply

was may be served for the Upper
Shimla be borne by Imp. or Rev. as
depute provision

1/5
3-5-23
gs

I do not think any of the above allowances may
be borne by Rev. under Class IV unhealth
areas

3/5/23

I agree.

4.5.23

4/5

Rev. Dept. 1457 C/23-2
4-5-23

Rev 5/5

Finance Deptt

Finance may accept the proposal
to give a class IV allowance - the amount
will be reduced from Rs 100/- to Rs 75.*

7.5.23

* p 10 of the Report
(last paragraph)

The position is that a Judicial
allowance is not justified (class II) but
that a class IV allowance is
So far as I am aware however Rev.
not suggested "an alternative recommendation
to the Committee's 2nd recommendation on p. 4" vide
Cabinet order on allowances

9/5

To Secy Please see item (2) on page 4 of Vol I under class IV of Retrenchment Committee proposals and the decision of the Cabinet at p 2 of flag (L). Alternate proposals were called for from the Agency Commn. as directed by Secy in the minutes. The A.C. has recommended half the Agency rate to officers who reside in Plains but lower than Agency for a certain period. No alternative proposals were called for in regard to other classes. The recommendation of Retrenchment Committee is that class I allowance shd be granted in respect of the hilly portion of Kohat Cantt. of the head qrs is in the hilly portion in-dep CSOs will get an allowance of Rs 75*. Otherwise none. Relative case is proposed to reduce Rs 75 of the dep CSOs of the head qrs is not in the hilly portion the case will have to be treated as exceptional C3 has thus agreed that the allowance shd be granted for if Rec agree

of 3 flag (A) new

of 3 of in-dep (M)

The whole Table is in Hilly [illegible] *p.109 (M)

[illegible] of

To us.

No action seems necessary - Vide Secy's remarks at page 4 supra. It is presumed that Finance will issue consolidated orders giving effect to the various proposals from a particular date and that no orders need be issued in this Deptt at present in these and other cases in which the recommendation of the Committee for the reduction or abolition of allowances is accepted. Finance may, if necessary, be asked definitely to state if this is so.

2. The file may in any case go to Finance with reference to Fin Secy's note at page 3 supra.

15.5.83

To us.

(E) Finance Deptt have since intimated that orders in such cases should issue as early as possible. A draft order is subd. for approval. It may be sent to Finance for acceptance. The order may take effect from 1-6-23

20.5.23.

In the case of Asst Secys BO I drawn the Secy's attn to the reduction would affect existing incumbents and Finance Memo on that it would be considered

as a general question. Shall put up with file

Lee
21.5.23

L. to Secs.

The file is in Finance where the general question is under consideration.

22.5.23.

Orders are required as to existing recruits. The point may have to be settled before orders go out in these cases.

Lee
23.5.23

Rev. C. 172.C
25.5.23

Will Finance kindly state whether orders have been issued as to the existing recruits & their position after abolition of L.A.?

Rev. Sec. C. 172.C/23
25.5.23

Finance Sec. 23/5/23

Fr 3C/238
1923

Finance Dept

Mr Cabinet has decided that the date of application of an order abolishing an allowance shall be the 1st day of the month following the date of the order. The allowance will then be abolished from the 1st July 1923.

23/5

1.

The Dy Coll's headquarters are not in the hilly portion of Kollegal taluk, and under the Retr. Committees proposal referred to on p. 3 will not be entitled to a class IV allowance. I would suggest that Revenue will be so good as put forward a definite counter proposal with regard to class IV localities as required in the Cabinet order of two months ago.

Bord

2:6:23

0, 2·38-1
2/6/23

D Kew.

~~[illegible]~~

I understand from Mr. Rajagopal Iyengar Talukdar of Kollegal is an unhealthy one — Please show the history of this Special allowance. I believe there always ~~has~~ existed some allowance. I think ~~in~~ some reference in question has been made to the S.Dy. of B.P.H. when visited Mr Cole in ~~[illegible]~~ unhealthy stations.

Rev 918A
7·6·23

6/6.

To Secy.

The allowance of Rs. 100 was sanctioned to the dy. collr., Kollegal, in G.O. 286, d 10-4-1891. The necessity for the allowance is discussed in the Coimbatore Collector's letter d. 29-10-90 at pp. 3-6 of the G.O., especially paras 3, 5, 7 and 9 of the letter. Briefly, the following facts can be gathered therefrom:-

(1) The tract is a remote and isolated one with an uncongenial climate. Para 3 of p. 4 of G.O. of 1891

(2) The journey to Kollegal is dreaded on account of malaria and wild beasts. Para 5 ibid

(3) ~~But~~ There is no more fever in the cleared portion of the Kollegal taluk within 15 miles of Kollegal" than there is in many other parts of the Presidency which have no specially bad reputation to contend against". Para 7 of p. 5 of G.O. ibid

(4) A large portion of the tract through which the Kollegal dy. collr. will have to tour is undoubtedly exceptionally unhealthy though no objection of the kind attaches to Kollegal itself. Para 9 of p. 6 ibid.

It will be seen from the above that the whole of the Kollegal division is not unhealthy.

2. The reference to the ~~Surgeon~~ Surgeon-General referred to in the Secy's note at p. 7 above is at

flag A

Asst

9/6/23.

The Dep Coll Kollegal has been getting an allowance of Rs 100 for doing Civil work. The Retrenchment Committee ~~~~ recommended the abolition of this allowance while accepting this recommendation both Govt & Rev Govt proposed that the Dep Coll should be given Class IV allowance (allowance for unhealthy localities). The scale prescribed by the R committee for dep colls serving in unhealthy localities is Rs 75. Although the committee have included the hilly portions of Kollegal Taluk in the category of unhealthy localities, Fin department denied to the grant of the allowance to the dep coll on the ground that the head qrs is not unhealthy and the Cabinet have accepted the R committee recommendation that no allowance need be granted to Officers who have to tour in unhealthy localities but whose head qrs are situated outside those localities

p. 10 q (M)

p. 7 supra

Attention is invited to Mr Leghi's note on P 7 supra and the Office note on P 8 supra. To the information furnished in the Office note I would add the following :—

para q. P6 of G.O 286 10.4.91 (W)

i) Wynaad tq was the R Committee have proposed Class IV allowance is not more unhealthy than parts of the Kollegal Taluk

ii) Kollegal Taluk is situated on the Mysore

plateau.

iii) Dr. is unhealthy in parts and is regarded as a penal settlement by the officials of Coimbatore

Para 3 P9 (IV)

The circumstances of the taluk are thus special and it would be a hardship to refuse local allowance to the Def Collr. on the ground that his head qr are not unhealthy. Mr Leigh's instructions to me were that Rec should press for the allowance. He has also noted that the case Shenoi should be placed before the Cabinet for which Censors are requested if it may go before the Cabinet and if so H.E's permission may be taken

P7 supra

HS
10.6.23
C2

Cired 11.6.23
Bx. 46

for personal discussion

[illegible]
12.6.23

Let us issue orders at once avoiding the judicial allowance & if it can be proved subsequently by a careful investigation of the conditions prevailing in Kollegal that it deserves to be included in the

list of unhealthy localities, the matter can be re-opened & laid before the Cabinet. For the present I find no material for any pressing [illegible] to do so.

[illegible]
L.G. 6.2

Issue draft as amended
Then open a separate file with an O.M. drawing the attention of the Board to the decision of the Cabinet according the Retrenchment Committee proposal that no allowance on account of unhealthy localities [illegible] the grades where the staff are [illegible] ordinarily at a place which is not unhealthy and asking the Board to report whether there are any special reasons for making an exception in the case of Kotkai
Tell the Board that full reasons should be given if it proposes that Kotkai should be treated specially

Ke
19628

O.M. sent to Board 21.6.23

VE.
A/cs Form
21/6/23

Work
21.6.23

signed 4/6/23

Revenue DEPARTMENT.

AGAIN G.O. No. ....., dated ..... 19 .

" " " ....., " ..... 19 .

READ ALSO:—

C. No. ....., From the ....., No. ....., dated 19

" " ....., " " ....., " ....., " 19

" " ....., " " ....., " ....., " 19

ORDER.

No. 975, dated 21. 6. 1923

Misc

On the recommendation of the Retrenchment committee the Govt. sanction the abolition with effect from 1st July 1923 of the duty allowance of Rs 100 p.m. now drawn by the Deputy collector Kollegal Division, Coimbatore Dt. for doing Civil judicial work. ~~the duties of a Dt. Munsiff, in addition and the~~ grant with effect from the same date of an allowance of Rs 75 p.m. for service in an unhealthy localities.

DESPATCHED
4 JUN 1923

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} 192

READ AGAIN G.O. No. 192 DATED

CURRENT No

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT .. .. A | A | A | A | A | A | A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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